

UNITED STATES OF AMERICA	§	
V.	§	Cause No. 21-CR-00029 (LY)
ANTHONY GALLEGOS	§	

TO THE HONORABLE JUDGE OF SAID COURT:

SURVIVING

Imagine being five years old and being told that you are different from all the other kids. Imagine all the adults in your life telling you there is something different or wrong with you. Now imagine that you are five years old and one of the most important people in your life, your father ignores what the experts say is the best way forward for his son.

Anthony Gallegos (Gallegos) started his life with an obstacle that most of us can not comprehend. Gallegos early school years exposed a rambunctious boy who was constantly getting in trouble and scolded for not being able to sit still, for not staying on task and for acting out. School officials prodded his parents to have Gallegos tested. Against his father's wishes, Gallegos' mother has him tested. Gallegos is diagnosed with ADHD and is soon thereafter diagnosed with depression, anxiety disorder and anger issues. His father refuses to believe any of it and believes that you can get all of those issues out of him by being tough on him. For traditional Mexican American

parents mental health issues do not exist. Any misbehavior can be reined in by tough discipline. Gallegos' father ignores the experts and exerts physical discipline that is abusive. Gallegos' father also begins to emotionally abuse Gallegos. Gallegos father begins emotionally demoralizing Gallegos and seems to believe that by being tough on Gallegos, he could rid Gallegos of his orneriness. Gallegos had to survive the everyday corrections at school and he had to survive the never-ending abuse at home. Gallegos' mother tried her best to protect Gallegos but she could not shield him from the demeaning jabs that his father would throw his way. Gallegos mother minimizes the amount and the degree of the abuse that is directed toward Gallegos by his father. It is a position that she is forced to take to save face with her husband. It became normal and accepted. Gallegos needed to survive with no positive support from his father.

Gallegos, like many people with mental health issues, began to self-medicate and this started at a very young age. Gallegos father would not allow him to take prescription medication nor would he allow for any type of counseling for Gallegos. By the age of twelve Gallegos began to drink beer or alcohol on a daily basis. In addition to the alcohol Gallegos began to smoke marijuana on a daily basis. His marijuana use began before he reached the age of ten. He found that these substances helped him slow down, to not be as disruptive or anxious while in school. Naturally, the combination of these substances led to constant issues or expulsions from school. By the time Gallegos reached the age of fifteen, he could no longer take the constant abuse by his father and made the decision to move out of his parent's house.

Luckily, Gallegos' girlfriend's family is sympathetic toward Gallegos' situation and takes him in. Gallegos continues to battle his demons. He expands his use of alcohol and marijuana to include methamphetamines, ecstasy and LSD. Gallegos was able to obtain his high school diploma while working full time. Gallegos and his girlfriend Ana had their first child while they are in high school.

Gallegos works various jobs but finds success by working with some high school friends who have real estate licenses. His friends begin buying homes, remodeling them and then selling them. They hire Gallegos to do all of the remodeling. There is plenty of work and it pays well. He is able to earn \$5,000 - \$8,000 per month. Gallegos was making more money than he had ever seen in his life. Gallegos was still using drugs in an attempt to self-medicate but he was surviving. COVID changed all of that.

Gallegos had married his girlfriend, Ana Gallegos, and together they took care of their young son. Ana was supportive of Gallegos and worked at trying to limit the drug use by Gallegos but understood the need to help alleviate the mental health issues. They now have two children together. The six-year-old has had several surgeries to help alleviate breathing issues. The one-year-old is currently being tested for the possibility of Down Syndrome. Gallegos was able to provide for everyone with his remodeling work. His criminal history all deals with his efforts to self-medicate. Gallegos' life came to a complete stop once COVID hit the economy. Gallegos was desperate to provide for his family. He needed to survive. This true-life story sounds like it would come from an older adult who has lived a long life. It is hard to imagine that all of this occurred in Gallegos life before he was 21 years old. He turned 22 years old while in custody.

Gallegos was lured into buying and selling guns as a way to survive. Gallegos accepts full responsibility for his actions. Since being in custody, Gallegos has been prescribed Lithium Carbonate, Seroquel and Fluoxetine. Lithium is used to treat bipolar disorder or maniac depressive disorders. Seroquel is an antipsychotic medication. It works by changing the actions of chemicals in the brain. Fluoxetine is an antidepressant medication. Medical experts have concluded that Gallegos should be on all three at the same time. Gallegos can see clearly now. He accepts responsibility for his actions. He now can see how to not only survive but to flourish. He can see how he can provide for his family in a legal and productive manner.

If the Western District of Texas had a mental health diversion program, we believe that Gallegos would be an excellent candidate for such a program. Because we do not have such a program, we ask the court to take into consideration his acceptance of responsibility, his mental health issues but more importantly his newly discovered treatment for his mental health issues. We ask that the Court take into consideration Gallegos' young age. We ask for an opportunity for Gallegos to survive in a drug free environment and with the help of prescribed medications that give Gallegos a chance in life.

Conclusion

Gallegos respectfully requests the Court to consider a sentence of 36 months. This sentence would properly reflect the seriousness of the offense, to promote respect for the law and to provide adequate punishment for the offense. We believe that a similar sentence would allow time for counseling to ensure the protection to the public of further crimes. A sentence of 36 months would adequately fulfill the obligations to the government as well as society but allow for Gallegos to have a chance in life to stay a positive part of his children's lives. Gallegos is currently 22 years old. A 36 month sentence would have him exit prison at 25 years of age. The term of supervised release would keep Gallegos on a path with the proper medications that will help ensure that Gallegos remains drug free and no threat to society.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that on the 5th day of October 2021, a true and correct copy of the foregoing memorandum was served upon the following parties by email.

Gabriel Cohen AUSA
Austin, Texas 78701

A handwritten signature in blue ink, appearing to read "Oscar Buitron", is written over a horizontal line.

OSCAR BUITRON